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## APPENDIX

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### THE EIGHT-HOUR DAY AND PROHIBITION OF NIGHT WORK

*Report of Public Hearing Before Committee on Labor, General  
Court of the Commonwealth of Massachusetts*

FEBRUARY, 1910

STATE HOUSE, BOSTON, February 2, 1910.

CHAIRMAN: We have here four bills listed for to-day's hearing, and if there is no objection we will proceed with House bill No. 329 accompanying the petition of Richard K. Conant for legislation relative to the hours of labor for children under sixteen years of age. Is there anybody here who appears in behalf of the petitioners?

MR. HOWARD W. BROWN: Mr. Chairman, I appear in favor of House Bill No. 329. I appear as a member of the Massachusetts Child Labor Committee, not as counsel for anybody. This bill, No. 329, as also bills Nos. 330 and 331, have been introduced by the Massachusetts Child Labor Committee, the petitioner in each case being Richard K. Conant, secretary of that committee.

I think it important at the outset to tell you what the Massachusetts State Child Labor Committee is. The membership of the committee is shown by its letter-head, a copy of which I will leave with the clerk, and it is not necessary to further discuss that matter now. The committee was organized two years ago, partly as an outcome of the national movement in favor of child labor reform which is centralized in the National Child Labor Committee with headquarters in New York, and which has established local child labor committees in many States in the Union. The Massachusetts State Committee has in addition to this source of its existence another source; it is the successor of a group of individuals who, under leadership of the Consumers' League, have been interested in local child labor reform in Massachusetts for a great number of years, so that the committee has behind it not only the experience of the

National Committee, but also the experience of these local workers for a number of years engaged in the problem of child labor.

During its first year the Massachusetts Child Labor Committee determined not to introduce any legislation whatever, but rather to study conditions, to the end that when it did make up its mind to introduce bills it should know precisely what it wanted. We have spent that year in the study of conditions and in consideration of child labor affairs in Massachusetts, and reached the conclusion that in five important respects the child labor laws of Massachusetts are below the standard we ought to maintain. In these five respects we are well behind many other States in the Union and we believe the time is entirely ripe for us to catch up. We think of Massachusetts as being a leader in progressive child labor legislation. As a matter of fact, she is becoming a laggard. Accordingly, to cover these five points, we have introduced five bills, three of which come before you this morning. Let me say most emphatically, however, Mr. Chairman, that we have not introduced these bills simply because we find that other states are in advance of us in legislation or simply because we are idealists in regard to child labor reform. These bills have been carefully considered from a practical as well as an ideal point of view with reference to actual local conditions. They have been submitted to the Child Labor Committee as a whole by its executive committee; they have been submitted to a conference of child-helping societies and of other individuals with knowledge and experience with regard to the working children of Massachusetts, and they have not been introduced till we first satisfied ourselves that from the entirely practical working point of view they will if enacted be good, sound legislation and of material benefit to the community.

The first of these bills is House Bill No. 329. This is a bill to provide an eight-hour day for all children under sixteen years of age in Massachusetts, however employed. Under existing laws children under sixteen years of age may work fifty-eight hours a week without any daily limit in mercantile establishments, and in manufacturing and mechanical establishments they may work ten hours a day or fifty-six hours a week, and the daily limit is slightly extended in practice by the provision of the law that you can work for more hours on five days in the week for the purpose of making a shorter day on the sixth day of the week. As a practical result, in mechan-

ical establishments they can be worked more than ten hours a day. For that we propose you should substitute an eight-hour day for children in all occupations. This eight-hour day for children under sixteen is not a far-distant goal toward which we are blindly striving. It is already an accomplished fact in seven of our sister states and in the District of Columbia, this very provision of law which we are asking you to enact. And six other states in the Union, although they have not yet reached the eight-hour day for children under sixteen, are farther along the road toward that provision than is Massachusetts. We believe this movement so well started, now being pushed by the National Child Labor Committee, before many years will inevitably cover the whole country. Sooner or later, and in any event before many years, Massachusetts will certainly adopt this eight-hour day for children under sixteen, and under these circumstances, apart from my firm belief in the merits of the bill itself, we want to see Massachusetts adopt it now, because if Massachusetts does adopt this bill now she can take her place among the leaders in this movement, and if she doesn't adopt it now it will not be long before she will have to come in at the tail end.

Massachusetts has already disregarded one opportunity to place this law upon her statute books. Two years ago Governor Guild recommended this precise measure in his inaugural address to the legislature, and it was defeated. We ask you to consider this matter most seriously and think well before you decide once more to hold back the Commonwealth from taking her place among the leaders in child labor legislation.

Of course, all this has nothing to do with the merits of the bill. It is mere color and background, but it does, it seems to me, bring us to this point: that here is a matter which, in view of the legislation in other states, in view of the movement which has now spread all over the country for the eight-hour day for children under sixteen, we ought to consider most seriously.

If I may be allowed I will block out the outline of our arguments in favor of the bill, so that at the outset the whole skeleton of our case may be before you, and shall then leave it to other speakers more able and better informed than I to put on the meat.

The reasons in favor of this bill are two: First, it will be a benefit to the working children of Massachusetts, and consequently to the community as a whole. Second, no industry in Massachu-

setts will be injured by the legislation to any such extent as to come anywhere near counteracting the benefit to the community through the betterment of the conditions surrounding working children. As for the question of the injury to industry, I think it fair to take the position that when an industry comes in here at this hearing and complains that it is going to be injured by this legislation, we will undertake to deal with that objection. The employers of children in Massachusetts have been thoroughly notified that this bill would be introduced this year, through the newspapers and through circulars sent to them. If it be true that any industry is to be injured by this legislation, it is certainly for that industry to come to this hearing and present its arguments and its objections in such shape that we may answer them, if there be any answer to them. Accordingly, so far as the question of injuring industry goes, I do not propose to take it up as part of our case. Coming then to the question of the effect of this legislation upon the children, I do not believe there is any man or woman in Massachusetts, whose opinion is worth anything at all, who will not agree that if other conditions surrounding children remain the same, it is better for them to work eight hours a day than to work ten or more hours a day. The physical and mental strain of being occupied constantly at a task, however light that task, for more than ten hours a day, cannot help interfering with the proper physical development of a child under sixteen years of age. And many of our working children, as appears from this year's report of the State Board of Health, are working under conditions which are not beneficial to the child, which are distinctly unhygienic, and beyond any question it is better for the child to work eight hours.

Equally important is the fact that the lack of any time allowed for recreation and relaxation under long working hours, necessarily retards the proper development of the child mentally and morally. The monotonous nature of many tasks in modern industry, the mere repetition of a single act, tends to make of the child a mere unthinking, spiritless machine; allows no room for the proper development of that child's faculties.

### *Objection of Poverty.*

The question is not whether it is better for a child to work ten hours a day than eight. It must be true that a child under sixteen, other conditions remaining the same, is better off if he has to work

only eight hours a day than if he is compelled to work ten hours a day.

The question is, whether, by shortening the hours, we indirectly injure children in other ways, and persons will be found who say that, in spite of the conditions and the direct advantages children will gain if their hours are shortened, they are, nevertheless, better off as it is, because if we shorten their hours, we will indirectly injure them in other ways. Let me say of such arguments in general that they are the usual bugbears always ready in objection to any child labor legislation, and that, for the most part, they have been found absolutely unsound. Let me say further that it is generally, if not always, the person who desires to employ children under sixteen who jumps up and points out that children will be better off if allowed to work ten hours a day than if restricted to eight hours. I do not believe that any person who is an employer of children or who represents an employer of children will be present at this hearing and object to this bill on any of these grounds. What are the objections that may be raised? In what indirect way are we going to injure children under sixteen if we shorten their hours from ten or more to eight? In the first place, it will be suggested that the earning capacity of the children will be reduced, that poverty will result. As to that, experience and investigation have shown that there are mighty few children under sixteen in Massachusetts working to-day because of necessity. They are working in order that the family may have more than the bare actual necessities of life, in order that there may be a piano in the household, a new rug, a new lamp, better food—at all events, more than actual necessities. Those things are all very well and it is good for working people to have them, but it cannot be right to throw the burden of procuring them upon an overworked child under the age of sixteen.

In those few cases in which children under sixteen are working in order to keep the wolf from the door and in which their wages are actually necessary in order to support the family, we believe this objection to legislation is also unsound. If it be true that a family must have, in order to live, the wages of the child under sixteen who is working in a manner which is bad for them, we believe the remedy to be applied is not to overwork the child, but to support the family. That is a case for charity, and the money invested by the community in supporting that family will be well invested, be-

cause the child who is overworked under the age of sixteen years, not only is prevented from becoming a wealth-producer in the future, by which the community loses, but is also in danger of becoming a direct source of expense to the community as an adult pauper. These are the reasons for which we believe the poverty bugbear, the notion that we must not pass this legislation because we may diminish the earning capacity of the children, is unsound. We should count, rather, the cost to the community of overworking that child and not count the temporary cost of taking care of the child's family in those few cases where the child is working from actual necessity.

### *Limiting Opportunity*

Another argument which may be made, to the effect that children will be indirectly injured by shortening their hours, although directly the gainers, is that the children may be excluded from the more advantageous employments and forced to take other occupations. We ask you to remember that the exclusion, even if it does take place, is only temporary, only for two years at most, because they cannot work until they are fourteen and all occupations will be open to them at sixteen. And we ask you to believe that it is better for the child to wait until he is sixteen before entering the advantageous employments rather than to overwork himself under sixteen for the purpose of getting into those employments at a young age.

The last objection which may be made along these lines and the veriest bugbear of them all is that the child being allowed more leisure, or perhaps being thrown out of employment altogether because of short hours, will spend the extra time so given him in degrading surroundings, that he will make a very much worse use of that time than if he were in the mills or any other occupation.

Mr. Chairman, the conditions in Massachusetts are not such that it is necessary to overwork our children under sixteen in order to keep them from degrading surroundings. We have schools; day schools which they may attend, night schools which they may attend if they are not too much exhausted by their day's labor; we are fast establishing for their benefit vocational industrial schools. We have boys' clubs, private charities, Christian Associations, and other organizations which are helping the boys and girls of the Commonwealth. It is not true that the danger to a child's mental and moral development lies in giving him freedom and liberty

here in Massachusetts. The danger lies in working him so hard that he has neither time nor energy to take advantage of the many opportunities for self-improvement which surround him here.

Those briefly are the reasons we urge in support of this eight-hour bill for children under sixteen. I have simply given an outline in order that you may have the whole subject as we see it at the start, and I shall leave it for the speakers following to drive home the points I have made and argue more at length regarding them.

I am going to ask Dr. Kingsbury to speak. Dr. Kingsbury is Professor of Economics in Simmons' College, and has made a broad study into actual conditions in Massachusetts in regard to working children under sixteen years of age.

CHAIRMAN: I would like to ask Mr. Brown if he has any statistics bearing on the children working through necessity. You say children do not work through necessity; that they work to put luxuries in the house, such as pianos, etc. Have you any statistics bearing on that matter?

MR. BROWN: Dr. Kingsbury can tell you much more than I can in regard to that, and if I may be allowed to refer that matter to her, I will do so.

DR. KINGSBURY: Mr. Chairman and Members of the Committee. In 1906 the so-called Douglas Commission made an investigation of conditions of children at work. A sub-committee of that commission particularly undertook a study of the relation of children to industries, and it was my pleasure to conduct the investigation for that commission, and the report of that investigation was printed in the report of the commission in 1906 (page 25 and following). There are two or three introductory statements I should like to make in regard to the effect this bill may have upon the industries and upon the families of the children who are at work in the State of Massachusetts. This investigation covered the study of the more important communities of the state. It used what is known as the personal method and interviewed some three hundred firms in the various industries and also visited the families of 5,000 children who were at work or who had commenced work in Massachusetts between the ages of fourteen and sixteen years. It is an interesting fact that the number of children employed in the important industries of the state—and by children I am now referring to those between fourteen and sixteen years of age—is decreasing.



It was particularly interesting to see that the employers in all of the more important industries, except, perhaps, the cotton industry, such as the manufacture of boots and shoes and the woolen industry, the manufacture of jewelry, printing and publishing, express themselves as not wishing to employ children between fourteen and sixteen years of age, and the statistics furthermore bear out the statement that they are not actually employing children between fourteen and sixteen years of age. And, further, in reference to a statement of the previous speaker that even if the child should have to postpone entry into the better industries it would be but for two years, I should like to state that the child does not now get an opportunity to enter the better industries before the age of sixteen or eighteen. That is, if we use as a term "better industry" the industry which gives the child training in a skilled process.

It was also very interesting to note that in visiting many cotton industries or firms, the employers who on the face of the matter were inclined to argue that the need of the child from fourteen to sixteen in the conduct of the industry was very important, in attempting to prove their contention on referring to their books found that they had very few children actually so employed. I remember one case in particular where after a most vigorous argument that the child was necessary to the industry, the employer found that he had on his books comparatively few children who were not sixteen years of age. The case is also particularly interesting, as for instance in the woolen industry, that the number of children between fourteen and sixteen years of age is not only proportionately small, but there is a uniform testimony to the effect that the number is actually decreasing.

#### *Do Not Want Child Labor*

It may be of value, as the question asked for statistical material, to refer to some statistics with regard to these 300 firms visited and interviewed, without discrimination as to what the business might be, to find that 63 per cent. of the employers declared that the children were not of value to their industry, and if I were to run through the list of these industries, excluding the cotton industry—and even there at least one-third declared the children were not of value to the industry—we should find the percentage very high indeed, something over 90 per cent. declared that children were not

of value to the industry. It is interesting to find also that only 20 per cent., including the cotton industry, said they really wished to employ children, but it was a matter of competition and opportunity. We find, furthermore, that only a little over 50 per cent. of the total number of firms interviewed actually are employing children under sixteen years of age, and of that number a large proportion will be found in the cotton industry.

Referring to the attitude of children and parents with regard to the entry in the industries by the children under sixteen years of age, it is perhaps equally significant that we should note that it is the child and not the parent who decides that the child shall begin work between fourteen and sixteen years of age. This somewhat approaches the question asked the previous speaker. We find parents are continually responding to any query as to why the child has left school to go to work, that the child wished to do so. It was perhaps the influence of other children at work; perhaps the fact that the child was not interested in the work of school, or that there had been some school trouble. Whatever it may have been, the child and not the parent seems to be responsible for the child's leaving school before sixteen years of age.

### *Child Labor Unnecessary*

With regard to the next question, as to the real need of these children to go to work, it may perhaps be brought into the statement in connection with the attitude of the parent and of the child.

I have here the statistics which have been asked for. In trying to show what the basis of that statement is, permit me to say that the judgment of the investigation depended not only upon the report by the parents—that meant, usually, by the mother—as to the income of the family and the necessity for putting the child to work, but it depended also upon the general surroundings of the home and upon the attitude of the parent in regard to future positions as well. Therefore, we feel that the statistical basis may be accepted as at least approaching accuracy. The estimate as to the financial status of the family showed that 76 per cent. of the families were capable of giving their children industrial training if persuaded of the advantage. We found the percentage of parents who actually expressed their opinion or made a statement that it was not necessary that the child should continue at work, even larger. The percentage

was taken not only upon the basis of the attitude of the parent, but upon the report with regard to the wage-earning capacity of the family, and in every case this excluded the income of the child, of all children in the family, between fourteen and sixteen at that moment. That is, the wage which they were turning into the family was not included in the family income.

### *Wasted Years*

We find that after all the child does not secure an advantage by entering the industry between fourteen and sixteen from the point of view of the future earning capacity of the child. A study of the situation was made particularly in North Adams and the opportunity of the children to secure an income was studied upon the basis of those children who had commenced work after sixteen years of age. While the returns were not perhaps sufficiently large to make one speak with the same confidence that one presents the earlier material, the indication is certainly that the earning capacity of the child who enters work after sixteen very quickly overtakes and surpasses the earning capacity of the child who begins work before sixteen years of age. So far as the family is concerned, in the long run perhaps after a few years, even the income of the family would not be decreased, but would be increased could the children be excluded from work earlier than the age of sixteen.

I am presenting this data purely to show that a law of this type, even though it did work to the exclusion of children from the industries between fourteen and sixteen years of age, even though it could not be worked out as in Ohio that shifts of children might be used in the industry, it would not work an injury to three-fourths of the children at work or to the families of the children at work in the state, and that would mean, of course, a larger proportion of the actual number of children. It may be well to state that the conclusions of this investigation have been borne out not only here, but by investigation in other parts of the country. Prof. Richards, of Cooper Union, has conducted an investigation in New York, in which he feels that the returns have confirmed the earlier conclusions and have been most significant. But I have been interested within the last week to find from a certain study being conducted in a particular section of the city of Boston that in the case of two hundred girls who had left school two years ago, those families being

followed for successive years, there is a very strong confirmation of this conclusion in that report where the families were known by the investigators and where a series of visits has been made since that time. The children who enter an industry at the earlier age should be studied with regard to the kind of industry they enter, and the question of the juvenile trades which seemed to take such a large number of these children in the larger cities is one of extreme importance, those trades not leading to anything in the future—such as the department stores, which take girls between the ages of fourteen and sixteen, and the messenger service, which takes the boys. The increasing age absolutely excludes the child from continuation in the industry.

I think therefore—I wish to conclude with this statement—that the passage of this law, while perhaps working toward an exclusion of children from some industries, would not work an injury to the larger proportion of families whose children are at work, even though the reduction of family income would result now, when in the future that would be more than made up, because we find the children up to the age of twenty and twenty-two years turning their income into the family, and the family itself, therefore, in a few years, would reap the benefit. Furthermore, the standard of living would not be reduced to a point below that to which I have been pleased to give the term of a low-grade standard for the family, and the small number of families actually in need of this income may rather be looked upon as the incidental or accidental family.

CHAIRMAN: Have you any figures that show what the average wage is of the children employed now under the age of sixteen?

DR. KINGSBURY: I have some data with regard to that question. Of course, it varies somewhat with the industries. I could present to the committee a more complete statement with regard to the average wage, or even a classified wage, if the committee so desired. I can at the moment, if the committee particularly wishes, make a statement with regard to that.

CHAIRMAN: So far as I am personally concerned I should be glad to have it to look over. We would like to have you furnish some statistics or information, if you can, bearing on this subject.

DR. KINGSBURY: I should be very glad to do so. At present it would take some few moments to run through this.

MEMBER OF COMMITTEE: I would like to have Dr. Kingsbury,

if she will, in giving those facts to the committee, present facts in regard to children employed in the cotton-mill industries, as in New Bedford and Fall River.

DR. KINGSBURY: That is quite possible, because in making the report the commission appreciated the fact that not only the various cities which have a single predominating industry would be anxious to know what the effect of such legislation or movement would be upon that city, but also that the industries individually might desire such data, and it is so classified that it would be possible.

MEMBER OF COMMITTEE: It appears to me from your argument that you wish to exclude children entirely between the age of fourteen and sixteen.

DR. KINGSBURY: The argument presented might convey that impression, simply because the study was made for the purpose of discovering what was the need of industrial training, and, therefore, considered the effect of entering these industries upon children between fourteen and sixteen. My contention is simply this: that the argument against this bill might be that it would exclude children from the industries, and the question then arises as to the effect. I think ex-Governor Guild made before the National Child Labor Committee a statement that in Ohio that question had been solved by shifts of children, so that the industry which needed child labor, by arranging with shifts, could continue. I think it is not right to assume that this argument is made for the purpose of convincing the committee that children should be excluded under sixteen. While it may seem under these returns that even that measure could be possible and desirable, yet should this bill work in that direction it would not be an injury to the families at stake.

MEMBER OF COMMITTEE: The reason I ask that is because there is a bill before the committee raising the standard from fourteen to sixteen.

DR. KINGSBURY: I did not know that.

MEMBER OF COMMITTEE: I would like to ask Dr. Kingsbury if this investigation extended into the rural communities or whether it was confined entirely to cities and to factory conditions?

DR. KINGSBURY: It extended into the rural communities to this extent, that the whole district, for instance, of Great Barrington was studied; that many of these mills are located up and down the streams in rural districts; that the superintendents of schools were

approached in the same way as superintendents of schools in the larger communities, and that in some communities the names of children who had studied were taken from the list of children who dropped out of school to go to work. In that way some of the children in the rural districts had to be reached, and in some of the cities the names were reached through the census, which would also include those who were going to work. Beyond that the material has not been classified.

STATISTICS ON BILL NO. 329, PROVIDING FOR AN EIGHT-HOUR DAY FOR CHILDREN UNDER SIXTEEN.

[Submitted by Susan M. Kingsbury, Professor of Economics, Simmons College, and Director of the Investigation of the Relation of Children to the Industries under a sub-committee of the Commission on Industrial and Technical Education, 1906.]

*I. Attitude of Employers Toward Employment of Children.*

Of 354 employers interviewed:

1. Sixty-three per cent. declared that children were of no value to the industry. About one-third of the employers in the cotton industry also declared that children were of no value to the industry.
2. Eighty per cent. declared that they did not wish to employ children in their industry while in the cotton industry. Forty-two per cent. declared they did not wish to employ children.
3. Forty-seven per cent. do not employ children between 14 and 16 years of age at present, although in the cotton industry all but one firm did have some children under 14 employed.
4. Seventy-five per cent. among cotton employers urged that more education of the child would be of great advantage to the industry, and 41 per cent. urged that industrial training for the children would be of great advantage to the industry.

*II. Reasons Why Children Go to Work*

*a. GENERAL*

1. Seventy-six per cent. of the 3000 families interviewed are capable of giving their children industrial training if persuaded of the advantage—based on the earning capacity, exclusive of the income of the child between 14 and 16 years of age who is at work.
2. Fifty-five per cent. of the families desire industrial training for their children.
3. Only 45 per cent. of the children studied are reported by the parents as having left school because of necessity.

*b. IN THE COTTON CENTERS*

1. Forty per cent. of the families in the cotton cities show a decided interest in a school which would give their children wage-earning powers, and declare that they want their children to remain in school.

2. Sixty per cent. of the families in the cotton centers could have kept their children in school—based on the economic status of the family.

3. Less than one-sixth of the parents of children in the cotton mills are cotton operatives.

4. Two-thirds of the families represented by children in the cotton industry are apparently in comfortable circumstances, tidy, thrifty and intelligent in appearance, with an average income, outside of rents, of \$2.50 per member of the family, including all children, large and small. This does not include the income of the child actually at work between 14 and 16 years of age.

#### C. WAGES OF CHILDREN IN THE COTTON INDUSTRY

Average weekly wage at 14 years of age..... \$3.83

Average weekly wage at 15 years of age..... 4.66

MEMBER OF COMMITTEE: By going to work, you mean going to work in factories?

DR. KINGSBURY: Yes.

MEMBER OF COMMITTEE: This bill includes all children employed in any work whatever. It would then affect the child on the farm just exactly the same as the child in the factory, and it was with reference to that point that I wanted to know whether your investigation reached outside factory work.

DR. KINGSBURY: I think while it may have extended outside factory work, the returns were not so classified.

CHAIRMAN: Is it your opinion that this law applies to employment of children on the farm?

MR. BROWN: There is no question whatever that the bill as drawn applies to all, to the child on the farm as well as in other sections. The bill reads: Section 1. No child under the age of sixteen years shall be employed at work performed for wages or other compensation, to whomsoever payable, more than forty-eight hours in any one week or more than eight hours in any one day.

MEMBER OF COMMITTEE: Yet section 2 provides only for the keeping of records in mercantile establishments.

MR. BROWN: That is because machinery for the enforcement of the hours of labor is already in force with regard to notice in mercantile establishments, but is not in force in reference to other occupations of children. So that we wish the enforcement of this new labor law so far as it is in existence, but do not attempt to extend it further than it is now extended.

Mr. Owen R. Lovejoy, the secretary of the National Child

Labor Committee, can tell the committee a great deal that will be most interesting in regard to the operation of the eight-hour law in other states and the movement in general throughout the country.

MR. LOVEJOY: Mr. Chairman and Gentlemen of the Committee: I was invited by the Massachusetts Child Labor Committee merely to be present, as I understood, to answer any inquiries that might be made regarding the operation of a similar law in other states. Mr. Brown and Dr. Kingsbury have so clearly stated the situation in other states there is little to be added.

Mr. Brown has referred to seven other states and the District of Columbia as already having in operation the law proposed in this bill. So far as we have any records—and we are studying constantly reports of factory inspectors and labor commissioners—since these laws have been put into effect in the states concerned there has been a steady increase of school attendance. There has been in some industries a decrease in the number of children under sixteen employed, but we have no record thus far that the law has so operated as to eliminate children under sixteen. I have the impression that a great many advocates of child labor legislation would be glad to have the law so operate if they were sure school opportunities were so far developed that the child would be reasonably taken care of between the ages of fourteen and sixteen.

Perhaps the only important point I can advance would be in answer to the question: Whether it was not true that the states in which the eight-hour law is in effect are the newer states in which manufacturing industries are small; states like Oklahoma and North Dakota; states that while they stand in the same rôle of dignity with older states, from the standpoint of industry are not to be compared? I want to answer that question by saying that three of these states are a conclusive reply: New York, Ohio and Illinois are among the states referred to. In all these states no child under sixteen years of age may work more than eight hours a day or forty-eight hours a week (except in New York, in mercantile establishments, the period is nine hours).

A glance at the comparative industrial strength in some of these states may interest the committee, taken from the latest United States Census Report we have. In 1905 the census bulletin on manufactures, we find that Massachusetts, Ohio and Illinois are almost equal in the value of capital invested in manufacturing enterprises.



In Ohio (I will give only round figures) \$856,000,000 is invested; Illinois, \$975,000,000; Massachusetts, \$965,000,000, standing between two states which now have the eight-hour day in successful operation.

The value of capital invested in the State of New York is \$2,031,000,000, nearly three times that of Massachusetts. The number of wage-earners is in the State of Ohio, 364,000; Illinois, 379,000; Massachusetts, 488,000; New York, 856,000, or an aggregate of wage-earners in manufacturing pursuits in the three states that have the eight-hour day of 1,599,000. In this state the total number of wage-earners employed in manufacture is 488,000, about one-quarter the number affected, assuming that the eight-hour day in manufacture affected all wage-earners.

These are only suggestive statistics, and I should be very glad to prepare a more detailed report if the committee desires.

The matter of shifts has been spoken of. I have not a record here of the number of factories that have adopted this system, but I do know that in several factories in Ohio the matter has been so arranged that children affected by the eight-hour law are divided into two or three groups. I have in mind one paper box factory that divides the children affected by the law into three groups. The first group comes to the factory in the morning at seven o'clock and leaves at four; the second from eight to five, and the third from nine to six. At the first and last hour, one-third are at work; two-thirds are on duty the second hour, and the ninth hour, and eight hours of the day all the children are occupied. The same division might not be possible in all industries. This is one of the problems the manufacturer must adapt himself to, and I must say that the experience we have had in dealing with this kind of legislation in other states leads us to believe that the manufacturer who sees the importance of this higher legislation is very glad to work out some system by which he can adjust himself to it.

As representing the National Child Labor Committee, may I add that in our efforts for improvement of the conditions of the American child we have been accustomed in other parts of the country to look to Massachusetts for leadership. It has become a national habit. It has been a matter of regret to many of us that in this respect Massachusetts has fallen behind other industrial states. It would not only be a source of protection to the children of your

commonwealth to report favorably on this measure, but it would have a much wider influence, reacting on other states. It would be of special help in reducing the hours now so unreasonable in all states in which the textile industry is the predominating manufacturing industry. I believe it is a safe prophecy that if Massachusetts were to adopt a law of this character it would be a very short time before all the states engaged in this industry would follow the lead of your commonwealth.

MEMBER OF COMMITTEE: Now please tell us if you can in how many states is the law as drastic as this would be if passed here?

MR. LOVEJOY: There is no state (referring to agricultural pursuits) that has a law as *advanced*—may I use that term instead of drastic—as this; but there are several states where such a law regulates mercantile and industrial pursuits. In Ohio no girl under eighteen years of age may be employed more than an eight-hour day nor at night. The age in the case of the girl is raised above sixteen, giving her two years more to grow and be protected.

MEMBER OF COMMITTEE: So that this bill if passed would be the only state prohibiting child labor under sixteen on the farm?

MR. LOVEJOY: So far as I have any information.

CHAIRMAN: Have you any idea as to what extent this law is enforced in, say, New York State, or Illinois, or Ohio?

MR. LOVEJOY: So far as we can judge by official reports and by the private reports of our investigators the law is very rigorously enforced in all three states.

CHAIRMAN: I ask that question because I remember being in New York State in a large manufacturing center and I was told that in some factories it was not enforced at all, while in others it was rigorously enforced; that children were sent out at four o'clock in the afternoon at some factories but not in others. It may have been, of course, that the proprietors were not acquainted with the ages of the children. I would not want to make any misleading statement.

MR. LOVEJOY: Mr. Chairman, that is a criticism that might be made in any state and would point toward the efficiency or inefficiency of the enforcement of law, and the difficulty that many factory inspectors have. We have records of manufacturers who are so keen to evade the law that they have been known to allow the children a few hours intermission when the factory inspector was on his way. We have had records of cases in which telephone notice

has been sent into towns when the factory inspector took the train for that town. All these efforts at evasion are likely to occur at any time.

MR. BROWN: I will ask Dr. Charles P. Putnam, a practising physician in Boston, and particularly interested in children, to speak.

DR. C. P. PUTNAM: MR. Chairman, I do not wish to be understood to be in favor of laziness. My family were all brought up to work, and I expect my children to work, and all other boys I have to do with. It is not activity and work which are objectionable for boys, but continuous work. I think there might be danger of our not realizing what is asked by this bill. It seems so very little! It is not that boys up to the age of sixteen should not be expected to work, should not be expected to go into occupations. This bill merely demands that boys up to sixteen should not work more than eight hours a day. It seems to me when we think of it so very little. Supposing we had here a dozen children—a dozen boys and girls up to sixteen years of age, and had them before us and looked at them, and thought of them as what they really are, should we say that they were fit to work for more than eight hours a day? I think it would seem absurd. Do we think of our own children as able to work more than eight hours a day? It has been said that the work is not very hard *always*. Light work is in some respects worse than moderately hard work. It is dulling to boys and girls to be occupied with light work for more than eight hours or any large number of hours. (Eight hours is, of course, an arbitrary number.) Sitting in one position or standing in one position—standing in one position hour after hour, or sitting hour after hour and doing some little thing is almost worse than working harder. We all know how particular we are in good schools to have the windows open and have children stop their school work and jump around a bit several times a day in sports, for which there is practically no time if the boy works even eight hours a day. We all consider it of the greatest importance to our children. The tissues of the young are not toughened nor properly developed; if they do not receive proper treatment they never will be properly developed. They are toughened in an improper way. We do not want stunted children in the community. Success in manhood depends upon proper development in childhood, and certainly it is not asking too much to demand that a child under sixteen should not work more than eight hours a day.

MR. BROWN: Mr. Bancroft, the attorney for the Arkwright Club, has asked me if I will interrupt my case long enough to let him speak now.

MR. BANCROFT: I just wish to take a moment because I have another engagement which calls me away. I represent the Arkwright Club, which is made up in a very large proportion of the textile manufacturers of Massachusetts, and I am instructed to say by the President of the Association that we do not oppose this legislation, and if the committee feel that it is for the best interest of the children of the Commonwealth, we do not as an organization desire to stand in the way of the passage of this measure or to object to it.

I think perhaps I should say that the result of the passage of this bill will probably be the elimination of what is known as young labor very largely from the textile establishments. That is, I think it will probably be considered unwise to employ under this restriction any considerable number of children under sixteen years of age. I simply state that as a fact.

MEMBER OF COMMITTEE: Then, as I understand it, it would mean rather than the child being employed eight hours a day, he will not have the privilege of being employed at all?

MR. BANCROFT: That would probably be the result in a great many corporations.

MEMBER OF COMMITTEE: Then it would resolve itself into what would be done by the child. They cannot adjust the mill to the conditions which would warrant the stopping of one kind of machine, the work of which was being done, to take care of another machine.

MR. BANCROFT: It is all a part of the system.

MEMBER OF COMMITTEE: It means, in other words, that you have to have uniform hours of labor for every kind of industry, that is, in every mill. The economic question of production means that each man has to work the same number of hours.

MR. BANCROFT: As a general proposition there could probably be a small number of children employed in certain parts of the mill—sorting waste and that sort of thing—but in so far as the running of machinery is concerned, the manufacturers would hardly like to have a considerable number of employees going out and the rest remaining.

MR. BROWN: I would like to have Mr. Bancroft tell us just

what children under sixteen are doing in the textile mills to-day. I understand from pretty good information that a large number are sweeping; that others are working in gangs, doing what is known as doffing, and there is no objection to having that mill run the full length of time or having different gangs of sweepers or different gangs of doffers, or having a couple of hours rest in the day. That could be done perfectly well without interrupting the work of the mill and without employing any child under sixteen years of age more than eight hours a day. I think we ought to have a statement from Mr. Bancroft as to just what the children are doing in these mills.

MR. BANCROFT: I do not desire to have Mr. Brown or any other person draw the inference that this would result in the elimination of children, because that may not turn out to be the fact. But in so far as the occupations are concerned there are several gentlemen on the committee quite as familiar with the interior working of the mills as I am. But in so far as the sweeping is concerned the number is very small. They are employed as doffers or bobbin boys. Principally in the spinning room they are employed. Then there are back boys and that sort of thing.

CHAIRMAN: Are there any persons present who desire to be heard in opposition to this bill? You understand there are three bills to be heard this morning.

MR. BROWN: Yes.

CHAIRMAN: Are you interested in them?

MR. BROWN: Yes, in two of them.

CHAIRMAN: Would not it be well to drop this, since there is no opposition?

MR. BROWN: This is not a case where we can win by default. If I might be allowed until half-past twelve on this bill I would like it.

I am next going to call on Miss Bertha Hazard. Miss Hazard is a teacher in the evening schools, founder of the Hemenway, and is greatly interested in work for girls.

MISS BERTHA HAZARD: Mr. Chairman and Members of the Committee: We have had some statistics very ably presented this morning in regard to the desirability of not having children under sixteen years work over eight hours. I have not any statistics to present, and if I had they would be simply supplementary to those

already presented. Simply as a practical observer, I am very glad to have the opportunity to put in my word of testimony. I have been for three years principal of one of the evening schools of the city. This is my fourth winter. I have had opportunity to see a good deal of the evening capacity of girls who work during the day. Knowing that this hearing was to be to-day, I went last evening into what you might call a typical school room, the Quincy evening school on Tyler street. Tyler street is in the vicinity where there are a great many Assyrians and Greeks, some Italians and a good many Russian Jews—a cosmopolitan section.

I went into what is called technically in the evening schools a double school—that is, a room where there are two teachers. We are restricted by the state regulations to forty pupils; there were in this room last night forty-two pupils. I made a careful memorandum concerning those forty-two little girls, knowing that particular room could be easily duplicated in any part of the city where there is a congested district. There were quite a number of rather tall, well-formed girls from Assyria and from Ireland. Those girls have been here only a short time. They were more than the ordinary height; they were in better than the average physical condition. They had worked in the factories. They have been in this country so short a time that they do not speak English at all. I suppose that in Boston we would resent with a good deal of vigor the statement that we do not offer to the children as good conditions as they do in Ireland. I suppose the people in Boston ought to be able to care for them better than they would in certain of the districts in the interior of Ireland or remote from the centers of civilization in Assyria. And yet I think that is not so among the girls and boys of the congested districts, and I think these girls I saw in the room last night are a good instance in detail of that proposition. The girls in the room who had been here a short time and were learning English very painfully and with very little progress, I must say, were taller, better made, more developed, more satisfactory as specimens of girls in the community than were the little, stunted, undeveloped, nervous, and, I might add, naughty, restless, unattractive girls in that particular school room who had been born in the Old Country but had come over when they were two or three years old, had gone to school here, had lived under the crowded conditions of the working families in certain parts of the city and who now, at the

age of fourteen or fifteen, had gone to work. I wish I had the exact measurements I selected from that room. I did not have time last evening to take them carefully and accurately. I took them as well as I could, knowing my own height, and standing carefully by one girl and another to see how she would compare. Now allowing the girls as they came from Assyria or the Russian Jews—allowing that they ought not to be as tall as American girls, taking off two or three inches, because they are usually shorter, and then estimating what would be normal for them, it seemed to me to clearly show that there was an average of five to six inches in height. That is, out of about twenty I estimated pretty nearly a lack of ten feet of growth those twenty girls should have had.

If that were an exceptional school or an exceptional case there would be no use talking about it. But, I think, as matter of fact, these conditions could be easily duplicated in my own school, in any evening school I know of in the north or south end of the city, that out of twenty girls who are ten feet shorter than they should be, their strength, their muscle and everything else, also perhaps their minds and morals, are in proportion to the ten feet, although I think their morals hold out better than anything else. But the lack of physical development shows so plainly that I think anybody who hesitated about a bill of this kind would only need to be taken from room to room in the schools of the city to be convinced.

I should like to add a word in regard to the statements made by two or three speakers, my idea being wholly from the practical side, and not from that of the idealist and statistician. It was mentioned, I think by the first speaker, that it was not in most cases a matter of necessity of keeping the wolf from the door that sent the children to work. I was in Chicago at Hull House some years ago, when a very thorough investigation was made; and the result of that investigation was absolutely that in a surprisingly small percentage of cases is it the necessity of keeping the wolf from the door that sends the child to work. They like to go sometimes because they get tired of school, or do not do very well there, or like the excitement of the store; or they go because they like the piano or the banquet lamp, or the extra clothes or other things secured at the cost of their own development. Of course it is not fair to expect any family living from hand to mouth to be very keen in appreciation of the value of the future.

You cannot expect any mother or father, probably, in the average working family to respond to the argument that if he will keep his daughter in school three or four years longer she will be able to earn more and will be worth a good deal more than if allowed to go to work now. That is too far-reaching. The girl may be married before then and probably will be. The present is the only thing they can think about. But I think it true that in surprisingly few cases is it the wolf at the door that forces girls and boys to work, especially girls. There are other reasons more controlling than wolves at the door.

I think the conditions in Massachusetts are not such as to make it necessary to keep a child at work in order to keep him out of degrading influences. That seems a very clear statement—a very provable one. As an instance, I had come to see me a few evenings ago a very good looking, bright Assyrian girl. She had obtained a certificate which allowed her to leave school and go to work. She had come to evening school very regularly all the year, beginning early in October. About the first of January she ceased to come. In looking up this child—she is under sixteen, very nearly sixteen, probably—to find why she was absent, she said that about the first of January she had gone to work in a shoe factory, which is one of the best shoe factories in the neighborhood of Boston. She lives in the city. The work begins at seven. That means she gets up at 5.30 and works until about 5.30 or 6 o'clock, and when I protested against her working from seven to six, she said she had been working overtime. I said, "Well, Mary, after you get home what time is it?" "It is half-past six," she said. And then I very cruelly said: "You could get your supper and then come to school." And she replied, "I am so dead tired I can't do anything but go to bed." That child used to work in a chocolate factory near and so used to come to school. When she said she went to bed early I think she was romancing a little, and that sometimes she spent the time on the streets. The ten hours a day or nine and a half is forcing that girl on to the street. She would have energy to come to school and would want to come if she worked a normal eight-hour day. Now she is working nine and a half or ten hours a day and she has not the energy to care about geography or arithmetic or any other thing.

One other item has been mentioned, in regard to its being



the child and not the parent who is responsible for the beginning of work at an early age. I want to give my very hearty agreement to that statement. In nine cases out of ten, as far as my observation goes, it is the girl that puts the child to work. By the proper arrangement of her surroundings and the proper legislation to keep her in school, she could delay her going to work without keeping back in any way the finances of the family.

MR. BROWN: I am going to call only one more speaker. I will ask Mr. Meyer Bloomfield, a member of the Massachusetts State Child Labor Committee, and the head of the Civic Service House, to speak.

MR. BLOOMFIELD: I will confine myself to two statements and then withdraw. I have for nine years watched the effect on hundreds of young people in the north end who are attempting to equip themselves for citizenship in this country under nine hours a day of work. I wish to say that it is about as big a handicap as I can think of. It is a costly investment, this evening school investment in Boston, and the present hours of labor for these young people thwart the success and result of that expensiveness. For over a year at the request of the superintendent of schools in this city I have had every case investigated where a child fourteen years of age applied for a working certificate, and in every case investigated I had parents come to me. In the first place, we are not shutting children out from work between fourteen and sixteen. We are mitigating the conditions of labor so that they can profit by those advantages. In the second place, if they were shut out, the same argument which applies at the age of fourteen applies between fourteen and sixteen. And it is a question of how much we want to do for those children in passing this legislation. It may be too hard to shut them out entirely, therefore we are trying to adjust things with the least possible hardship. We know that some parents need the help of their children. But we know that the commonwealth needs the strength of its children, and that is an infinitely better and stronger argument than is the case of any individual hardship which can be brought up. The whole child labor proposition, if we listen to a few individual cases which are properly the object of help—the whole child labor proposition goes to pieces. Now on behalf of making more effective our educational investment in Massachusetts, and on behalf of the children, we ought to pass some such measure as

this. It seems to be perfectly sane and reasonable and will not affect so many as to revolutionize labor matters in Massachusetts.

MR. BROWN: Mr. Joseph Lee was to be present and speak in favor of the bill.

MR. JOSEPH LEE: I don't think I can add anything, Mr. Brown.

MR. BROWN: Mr. John Golden, of Fall River, had agreed to come to this meeting and speak in favor of this bill. Mr. Golden has telegraphed the Secretary of the Massachusetts Child Labor Committee: "Regret I cannot attend the hearing. Heartily endorse all three bills."

I think it may be said further that Mr. Golden has distinctly told the secretary of our committee that in his opinion this law will go into effect without excluding children from the textile mills; that the thing will be arranged in some way by shifts of hours.

I have here a list, which I will hand the clerk, of organizations which have endorsed all three bills for hearing this morning.

Representatives from the following organizations co-operated with the Massachusetts State Child Labor Committee in preparing legislation:

Massachusetts Branch, American Federation of Labor.  
Boston Central Labor Union.  
Associated Charities of Boston.  
Boston Children's Aid Society.  
Boston Children's Friend Society.  
Children's Mission.  
Conference of Child-helping Societies.  
Massachusetts Society for Prevention of Cruelty to Children.  
Society of St. Vincent de Paul.  
Consumers' League.  
Women's Educational and Industrial Union.  
Women's Trade Union League.  
Massachusetts State Federation of Women's Clubs.  
Boston Social Union.  
Boston School Committee.  
Massachusetts Civic League.

The five bills have been endorsed by the following organizations:

#### CHARITABLE ORGANIZATIONS

Andover Guild.  
Brookline Friendly Society.  
Dedham Board of Charities.

Associated Charities of Gloucester.  
 Associated Charities of Salem.  
 Associated Charities of Somerville.  
 Associated Charities of Watertown.  
 Associated Charities of Newton.  
 Lowell Ministry-at-large.  
 Springfield Union Relief Association.  
 Managers, Industrial School for Girls, Dorchester.  
 Managers, Boston Female Asylum.  
  
 Boston Equal Suffrage Association for Good Government.  
 Haverhill Board of Trade.  
 Malden Board of Trade.  
 Roslindale Citizens' Association.  
 Somerville Board of Trade.

#### WOMEN'S CLUBS

Auburndale, Review Club (40 members).  
 Billerica, 1900 Club.  
 Braintree, The Philergians.  
 Bridgewater, Ousamequin Club.  
 Dorchester, Current Topics Club.  
 Dorchester, Woman's Club.  
 East Weymouth, Monday Club.  
 Everett, Friday Club.  
 Haverhill, Hannah Dustin Club.  
 Haverhill, Papyrus Club.  
 Hudson, Woman's Club.  
 Hyde Park, Current Events Club.  
 Ipswich, Woman's Club.  
 Milton, Woman's Club.  
 Needham, Monday Club.  
 Newton Highlands, Monday Club.  
 Newton Social Science Club (excepting eight-hour bill).  
 Provincetown, Nautilus Club.  
 Quincy, Woman's Club (350 members).  
 Reading, Woman's Club (300 members).  
 Roxbury, Roxburghe Club.  
 South Boston, Mattapannock Club.  
 South Deerfield, Woman's Club.  
 Stoneham, Woman's Club.  
 Watertown, Woman's Club.  
 Winchester, The Fortnightly (400 members).  
 Wollaston, Child Nurture Club.

Mr. George Wheelwright, Jr., a representative of the Congregational Union of Jamaica Plain, dropped me a note to say that of the committee to study current topics, fifteen members present

voted with reference to this bill unanimously in favor of it, and he was assigned to come here and represent them. He is interested in the paper manufacturing business and sees in it no injury to his business.

Now, Mr. Chairman, it seems to me that our case here is proved by Dr. Kingsbury and Mr. Bancroft alone. We can discard entirely the notion that we are injuring Massachusetts industry in passing this bill. The employers of children under sixteen have received the fullest kind of notice. We have circularized them; we have published in the paper the program we intended to carry out this year, and it has been known by employers—it must have been known—and the only representative that comes here is a representative of textile manufacturers to say that they do not oppose it. It seems to me that from now on the question of the effect on industry can be eliminated, and it is only a question of the effect on children.

As to the effect on children, Dr. Kingsbury's investigation contains all the information you need. That investigation was made by a commission appointed by the governor of this state, a commission on industrial education. It was a good piece of work and a thorough piece of work, and Dr. Kingsbury comes here and tells you that 76 per cent. of the families in Massachusetts in which there are children under sixteen now working—76 per cent. of them could, in the opinion of the investigators, get along without having their children work at all until they get to be sixteen years of age. There was a larger per cent. who, in their own opinion, could get along, but in the opinion of the investigators there were 76 per cent. Now, it must be a much smaller per cent. than that who will be injured by this bill, because we don't prohibit labor under sixteen, we only restrict it to eight hours a day. If there comes the pinch, the actual necessity, there must be opportunities for work. It must be a very small percentage, indeed, of families in Massachusetts who will actually want for the necessities of life because their children under sixteen are allowed to work only eight hours a day.

There has been a special feature of the case mentioned in the course of the hearing, and that is the application of this bill to labor upon farms. The bill, of course, would prohibit work on farms by a child under sixteen for more than eight hours a day, just as it would prohibit work in other lines. In the first place, I made

the statement that the law in seven other states, including the District of Columbia, did apply to farms, and when I said it, it was my opinion. We will send to the committee a memorandum of the eight-hour law in other states, and they can see whether it does or does not apply to farms. My impression is that in some, at least, of those seven other states, the eight-hour bill is a broad, sweeping bill which prohibits any kind of labor for a child under sixteen for more than an eight-hour day. Now, should the bill be reported as it is introduced, or should an exception be put in the bill which shall render it inapplicable to children under sixteen at work on farms? I cannot believe that it is very important, one way or the other. I have here something which is headed "Decennial Census, Bulletin No. 10, issued by the Massachusetts Bureau of Statistics of Labor," which shows that the number of children at work from ten to fifteen years of age is classified by occupations and by special ages under each occupation, and the number of children occupied in agriculture in the state is seven. There is the State Census of 1905, which shows that there are seven children under fifteen years of age working on farms throughout the state. Now, there cannot be many more now working on farms. Of course, we must remember that the child who works on the farm for his parents in connection with the work of the family, splits the kindling or works in the kitchen, isn't prevented by this bill, because this bill only applies to children who work for wages or other compensation. So that it must be an extremely small number of children who work on farms that this bill would affect. So far as it does operate, I cannot see that it is not just as logical to prohibit them from working on the farm as anywhere else. Eight hours' labor on a farm is a good deal for a child of sixteen to stagger under. I say it should be allowed to affect children working on the farm as well as in the factory. If there is here in the bill a point on which the committee cannot agree with us, the committee, of course, has power to report an amendment which shall make it inapplicable to farm labor.

CHAIRMAN: Mr Brown, you don't see why a child on the farm should not receive an education as well as the boy in the mill, do you?

MR. BROWN: Not the slightest.

CHAIRMAN: Are there any other questions? If there are no petitioners or remonstrants, we will close the hearing on this bill.

MR. BROWN: Bill 331, in place of the existing laws, provides that no child between the ages of fourteen and sixteen shall be employed at work before 6 o'clock in the morning or after 7 o'clock in the evening, except on farms. Under existing laws there are not many prohibitions on night work for children under sixteen, except those that apply to factories and mills, and in other occupations they are not prohibited at all.

Here, again, Massachusetts is behind the procession of other states. There are twenty-three states which restrict child labor at night more than Massachusetts does. Nine other states and the District of Columbia have substantially the same provision we are asking, that is, that they shall not work after 7 o'clock at night or before 6 in the morning. The operation of this bill is not to be on children working in factories, because the hours-of-labor provisions practically prevent factory employment at night, but in those occupations that children now work in at night, in department stores to some extent, in the messenger service to a great extent, in delivering bundles and parcels for department stores, as pin boys in bowling alleys, and a number of other things. It is our belief that for children under sixteen years of age to work at night, even under the best conditions, is bad and injurious. So we have made our bill broad and sweeping enough to cover all kinds of night labor, except on farms, where we do realize that the boy gets up early and goes to bed correspondingly early, and probably does not hurt himself. Within that broad field which we want to cover, and which we think ought to be covered, there are features of night employment of children which certainly call for legislative action, more particularly in regard to night messenger service, on which, perhaps, we have more evidence than on anything else. We have only three speakers to call on this bill, and in the first place I am going to ask Mr. Barrows to speak.

MEMBER: Mr. Brown, you thought it more necessary to recognize these farm boys on this bill?

MR. BROWN: I think it is quite different. I would like to say that was put in because we had an awful lot of trouble before this committee two years ago in regard to farm employment. We put it in not so much because we wanted it, but because we thought the committee might desire it, and, furthermore, this bill applies, perhaps, to boys working for the family as well as other boys employed

for wages, so that there may be many more than seven at work on farms.

The Supreme Court has recently decided in regard to the term "employment" in child labor laws that it covers a child assigned a particular task at a particular time, even if he does not get pay for it. It may be that this bill, as we have drawn it, will hit equally children not employed for wages, and it may be it may affect more than seven farm boys.

Mr. Barrows has been acting for the National Child Labor Committee in investigating throughout the country the conditions surrounding the work of messenger boys at night, and is able to tell you enough about the work of messenger boys at night here and in other cities in Massachusetts to make it perfectly clear to your mind that they should not be allowed to engage in that occupation.

MR. BARROWS: Mr. Chairman, I have come from a considerable distance on very short notice in order to be present at this hearing and set forth the facts in regard to the messenger service in the cities of Massachusetts as I have found them in personal investigation.

CHAIRMAN: May we ask what your occupation is, or who you represent?

MR. BARROWS: I represent the National Child Labor Committee as investigator. I have been for some time in the State of Massachusetts, in five or six of the principal manufacturing cities of New England, including Boston, New Bedford, Fall River, Springfield, Worcester and Lynn, and previously conducted the same kind of investigation in a number of other cities throughout the United States east of the Mississippi. At the outset, in presenting the whole question of the messenger service, I have been confronted with one very serious difficulty. From the very start my work has taken me into a labyrinth of the worst elements, the lowest and most vicious sides of life at night; this was necessary, and the conditions are such that it is absolutely impossible to put frankly before a gathering of this character life as a messenger boy sees it. I have tried to get around this difficulty by preparing a statement containing the features of this investigation to which public reference is difficult and placing this statement before the committee; but, on account of the short notice, the statement, unfortunately, is not completed.

CHAIRMAN: Can you present it later?

MR. BARROWS: I can present it later if I may be allowed to explain some things which you will find.

In the first place, the problem given us is very little known to one who has not seen it as I have. One reason is because it is so obvious. We all know that in the average American city—and this includes practically all the manufacturing cities in Massachusetts—there are companies organized to maintain a night service of boys to deliver messages and to do any other work they are called to do after 7 o'clock at night and before 6 o'clock in the morning. On the other hand, every man knows just what life is, just what the conditions are, and who the people are who are apt to need the messenger boys' service late at night. Consider that all legitimate business, except for a few industrial workers temporarily working overtime, railroad yards, newspapers, hotels—that with these exceptions practically all reputable business is closed and all reputable citizens have already retired. Yet there seems to be a demand for the service of night messenger boys, and the companies very obviously make a profit somewhere, otherwise they would not maintain the service. The question is: What becomes of the messenger boy, nominally fourteen, fifteen or sixteen (though undoubtedly there are about as many thirteen as there are sixteen, outside our larger cities)—what becomes of that boy, and what of his work in these great centers after 10 o'clock at night? I must beg the indulgence of the committee and of others at this hearing in speaking very frankly of matters to which it is not considered proper to refer, but my time is brief, I am without the notes I intended to present and the importance of the subject warrants frankness.

We all know that night is the great working time for three classes of people—the prostitute and the gambler and the keeper of the disreputable hotel and disorderly house. About midnight, or after 10 o'clock at night, you find all these places flourishing. Otherwise the streets are dark, with the exception of a few restaurants. The saloons are supposed to close at midnight; yet liquor is sold, men appear intoxicated on the street, liquor is drunk in the hotels and in disorderly houses after that time; and the connection between the saloons and these other places gives one phase of night life in which the messenger boy often figures. In Boston we are supposed to have a strict enforcement of saloon laws and a strict



enforcement in regard to prostitution; yet the messenger boys here in Boston are habitually employed to buy liquor after 12 o'clock at night and carry it to disreputable hotels and houses of prostitution. Where does the boy get this liquor? That is a question the boy himself would have to answer. I have put the thing to actual test. We have in the office of the committee here a bottle of whisky purchased through the agency of a messenger boy in the city of Boston after 12 o'clock at night, purchased without any added inducement, except a tip, and without the purchaser being known in any way. He went to a hotel, called a messenger boy, gave no intimation of what he wanted, or how long he wanted the boy. He told the boy he wanted the whisky; the boy went and got it, and received the money for the whisky; he gave the boy a tip and the customary charge of the company. That is all there was to it, except that the boy was questioned enough to show that he had a knowledge of more than one place where he could get it. The boy was exceedingly cautious about telling where he got the liquor. It looked suspicious, he said, if he told where he got it, or an attempt was made to discover that point.

Perhaps the worst side of the messenger boy's life is his contact with houses of prostitution. It is not a matter that I care to dwell upon, except by making frankly—and I am willing to substantiate the statement in any manner desired—the simple statement that boys are habitually used in those houses, sometimes to go out and purchase liquor for the inmates, sometimes to go to the Chinese restaurants to buy food. They become acquainted with the girls themselves in those houses, and on more than one occasion make mistresses of them. The girls use their arts of seduction on them, and in many instances the boys spend their time with them, while the company is sending them out at night as messengers. There is ample proof that these conditions exist right here in Boston, and they also exist in other Massachusetts cities. I have many authenticated cases, some of which I have set forth.

CHAIRMAN: These boys are under sixteen?

MR. BARROWS: I was about to come to that. Boston is to be congratulated, I think, as being one of the few cities of the United States in which the boys employed in the night messenger service are generally in the neighborhood of sixteen. Some may be fifteen, there are a good many seventeen or eighteen, and some are, as they

should be everywhere, adults. In Springfield I was out for some time with a boy of fourteen, and had some exceedingly shocking testimony on these lines which is undoubtedly true. In New Bedford, in company with a social worker, I was using a messenger boy fourteen or fifteen years of age as a guide, and the boy showed an intimate knowledge of the social evil as it exists there, and my companion, who lives in New Bedford and is well acquainted with that city, was able to corroborate it. In Lynn I had a boy between fourteen and fifteen who showed the same intimate knowledge of the darker life of that city, the extent of which I must again refer to this unseen manuscript. In Worcester I was out about midnight with a boy of fourteen. This city is supposed to be absolutely no-license, and the regulation of prostitution there is a matter of pride to its citizens. Nevertheless, the boys are used in the same way, with the single exception, I admit, that I could not establish a definite case of a messenger boy buying liquor in the city of Worcester. But I account for that in one way—by the confession of one of the boys that private detectives had several times tried to use them for that purpose, and the boys are very cautious. The conditions of the messenger service in Worcester are such that there is absolutely no reason why the boys cannot be used there in the same way in which they are used in Lexington, Ky., which is one of the most notoriously open cities in the United States; or in New York City.

All over the United States, not alone in the cities of Massachusetts, you will find the same conditions. You can go to a hotel, you can go to a saloon, you can go to a telephone anywhere, at any time of the day or night, and call up one of these companies, tell them you want a boy; you don't have to give your name, you don't have to tell them what you want the boy for, or how long you want him—you will get the boy. After the boy gets away from the office he is entirely subject to the order of the man calling him. He has to make a financial settlement with the company, and some companies even deduct the carfare from the boy's money in case the patron does not pay the carfare where it is required. The boy actually has to return a given amount of money to account for the time he has been, or by some ingenious fabrication he has to satisfy the company—not where he has been, nor as to the legal nature of his employment, but as to why he does not bring in the money. That has been the testimony not only of boys here in Massachusetts,

but in almost every part of the country. As to Massachusetts, the condition is briefly this: That there are at least seven of the largest cities where this service of boys is maintained up to 2 o'clock in the morning, in which it is actually possible for boys from fourteen to fifteen years of age, employed with the knowledge of the managers of the companies, to go to houses of prostitution, to buy liquor illegally, and to act as go-between for men and women in houses of assignation and disreputable hotels.

The final point I wish to make is this: that those calls are practically all that boy has; that is his world. That boy goes home at 3 o'clock in the morning, goes to bed and sleeps till 4 o'clock in the afternoon. Early in the evening he has a few packages to deliver; but the work narrows right down; it has been the testimony of boys of all cities that a great deal more than half the work of messenger boys is such as I describe.

The effect of all this on the boys is, I think, unnecessary to discuss. I think I can leave that safely with the committee.

MEMBER OF COMMITTEE: Mr. Chairman, Mr. Barrows, I would like to ask you if it is only in one section, or is it a matter of common knowledge in Boston where a boy under age can get liquor?

MR. BARROWS: I will have to preface my answer by saying that I was investigating the night messenger service and not the liquor problem.

MEMBER OF COMMITTEE: No, but I mean, can these messenger boys get liquor in Massachusetts—say Boston, for example—as matter of common practice, being minors; and, also, can they get it after the time of closing, after 11 o'clock?

MR. BARROWS: It is practically universal, in and out of Massachusetts. The boy in uniform, fourteen or fifteen, can get liquor in any of these cities in Massachusetts. It requires a special knowledge, which knowledge these messenger boys possess, to know where to get the liquor after midnight; but most of them know how and most of them are willing to get it.

MR. BROWN: After the committee has heard Mr. Barrows' statement, and after the committee has read Mr. Barrows' typewritten report which he will present, I don't believe there will be any lingering doubt about the advisability

MISS ALICE L. HIGGINS: I do want to speak on this bill. So many arguments, however, have already been made to your reason

and common sense on the eight-hour bill that I need only add, please underline all these arguments three times and you have the right emphasis for these arguments in relation to prohibition of nightwork for children.

The real wealth of the community is in these three things—health, efficiency and character of the people. The question asked you is, “Does the employment of boys and girls of 14 to 16 years after seven in the evening increase this wealth?” If working ten hours a day in these formative years does not promote health, efficiency and character, I repeat, underscore the reasons why it does not, and you have the answer to that question. When this bill was drafted the committee had not had the results of Mr. Barrows’ investigation in full. I agree with him that we have our age limit too low. The large number of boys in other kinds of work affected by this bill are the pin boys in the bowling alley, ushers in the cheaper theaters and delivery boys for the druggists. Please consider this employment for a moment. The pin boy at the end of the long alley is usually in bad air, with associations not educational. The same is true of the surroundings for boys in the theater. The years mentioned in this bill are those when body, mind and morals are most impressionable. The evils attendant upon the messenger service Mr. Barrows tells us exist for the delivery boys of the druggists, and no further word is necessary. Not healthy, well-ventilated, wholesome work does this nightwork appear to be.

Next, does it develop efficiency? You can see it is not work that leads anywhere; it does not give skill. It is not work which fits the youth for permanent, steady occupation, the kind of occupation that begins Monday morning and continues with regularity each day through the week. It is often work connected with “tips,” uncertain wages, and work that can be done irregularly. The boys hang around the alley in the day, set up pins in the night. If they are not there Tuesday night, other boys are taken and they return and take chances for Wednesday. It does not develop the right sort of responsibility or lead to promotion; on the other hand, I have watched its effect on boys and have seen it lead to the Juvenile Court.

When you realize that people come to charity through a breaking down in health or character, or lack of efficiency, it seems a short-sighted policy to permit dangerous work in these years when

habits are being formed, and health may be permanently affected. A fair show for these boys is what we ask, and it is not giving them a fair show to permit them to do work unsuitable in type or performed at unsuitable hours and in unhealthy conditions. Do not be influenced by the arguments that these boys have all to support "widowed mothers." That is an exploded theory. Listen to one of the explosions; there are many others. A few years ago Miss Jane Addams presented these interesting figures, the result of a careful study in a manufacturing town. Two thousand five hundred children were employed in this town, and it was said their earnings were necessary for the support of widowed mothers. These were the facts—only sixty-six had widowed mothers, and of only twenty-three could it be said that their earnings were necessary for the support of their mothers. Please let that figure, twenty-three, banish any idea you may have that this proposed legislation will, if enacted, bring a large number of people to charity. It will do nothing of the sort. And in the few instances that may occur, is it not better economy for charitable folk to invest money in the care of those families and save to the Commonwealth the health and morals of its future citizens?

MR. BROWN: I have no more speakers to call in regard to this bill. The situation is this, if I may just sum it up briefly: that the evil in the messenger service is abundantly proved by the testimony and report of Mr. Barrows; that even outside messenger service, while it is not so particularly bad or so horribly bad to allow children to work at night, it is true, as Miss Higgins said, that night work is never beneficial; it leads to nothing; the sort of work that helps the child is never done at night. In the second place, it is bad for the child to be up at night and working at night instead of going to bed and to sleep. And, consequently, we put in the particular bill asking that no kind of employment shall be permitted children under sixteen.